

### **REMARKS/ARGUMENTS**

These remarks are made in response to the Office Action of December 26, 2007 (Office Action). As this response is timely filed within the three-month statutory period, no fee is believed due. The Office is expressly authorized, however, to charge any deficiency or credit any over-payment to Deposit Account No. 50-0951.

### **Claims Rejections – 35 USC § 103**

In the Office Action, Claims 1, 3-5, 8-13, 15-17, and 20-27 were rejected under 35 U.S.C. § 103(a) as being anticipated by Hashimoto, *et al.*, "Tele-Handshake through the Internet", *IEEE Workshop on Robot and Human Communication*, 1996, pages 90-95 (hereinafter Hashimoto) in view of U.S. Patent 7,036,094 to Cohen, *et al.* (hereinafter Cohen).

Although Applicants respectfully disagree with the claim rejections, Applicants have amended the claims so as to expedite prosecution of the present application. It is expressly noted, however, that the amendments should not be interpreted as the surrender of any subject matter. Accordingly, Applicants respectfully reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

Applicants have amended independent Claims 1, 10, and 13 to further emphasize certain aspects of the invention. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments.

### **Certain Aspects Of Applicants' Invention**

It may be useful at this juncture to reiterate certain aspects of Applicants' invention. One embodiment of the invention, typified by Claim 1, is a method of communicating physical human interactions over a communications network.

The method can include detecting physical contact with a first model by a first user located at a sending system. The first model can represent at least a portion of a

human body including at least one among a human head, a human face, a human back and an entire human body. The first model can incorporate one or more contact sensors. See, e.g., Specification, paragraphs [0022], [0025] & [0026].

The method also can include detecting physical movement of the first user with one or more optical sensors located at the sending system. The physical movement of the first user can include at least one of a body movement of the first user and a change in facial expression of the first user. See, e.g., Specification, paragraphs [0005], [0006] & [0022].

The method further can include generating data from the sensors specifying the physical contact and the physical movement, determining at least one action intended by the first user indicated by the generated data, transmitting the determined action over a communications network to a receiving system, and simulating the action by performing the action on a second user at the receiving system using a second model and activating the second model according to the physical movement. The second model can represent at least the portion of the human body and incorporate one or more actuators. See, e.g., Specification, paragraphs [0025] & [0026].

### **The Claims Define Over The Cited References**

Hashimoto discloses a tele-handshaking system which allows two persons in two different locations to physically communicate with each other by shaking hands through the system (see, e.g., Abstract). Fig. 2 of Hashimoto shows a hand shake device. In order to differentiate the present invention over Hashimoto, independent Claims 1, 10, and 13 of the instant application have been amended to recite that portion of a human body represented by the first model includes at least one among a human head, a human face, a human back and an entire human body (see, e.g., Specification, paragraphs [0025] & [0026]). Hashimoto does not disclose anywhere that the human body part represented by the first model can be a human head, a human face, a human back or an entire human body.

Also, since the tele-handshaking system of Hashimoto has only one intended action, namely shaking hand, it is not necessary for Hashimoto to determine the intended action from the data generated by the sensors and transmit the intended action to the receiving system. Further, in contrast to the present invention, Hashimoto does not take into consideration of the body movement or facial expression, but only the physical contact between the operator and the hand shake device.

Cohen does not make up for the deficiencies of Hashimoto. Also, Cohen concerns a behavior recognition system for recognizing various human and creature motion gaits and behaviors, which has nothing to do with a method or a system for communicating physical interactions over a communications network. Cohen is, therefore, believed to be non-analogous art and should not be combined with Hashimoto.

Accordingly, the cited references, alone or even in combination, fail to disclose or suggest each and every element of Claims 1, 10, and 13, as amended. Applicants therefore respectfully submit that amended Claims 1, 10, and 13 define over the prior art. Furthermore, as each of the remaining claims depends from Claim 1, 10, or 13 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Applicants thus respectfully request that the claims rejections under 35 U.S.C. § 103 be withdrawn.

In addition, new Claims 28-30 have been added to recite providing a graphical user interface within which the first user can select human actions or processing tasks. The human actions can include at least one among "touch the face", "touch arm", and "embrace" and the processing tasks can include at least one of "opening an audio channel" and "opening a video channel". See, e.g., Specification, paragraph [0037]. Claims 28-30 are believed to be patentable over the art because the limitation recited therein is not disclosed by any of the cited references as well as because they are dependent on independent Claims 1, 10, and 13, respectively.

**CONCLUSION**

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

Date: March 26, 2008



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